

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

HOLLIE TOUPS,

Plaintiff,

v.

GOOGLE INC., YAHOO!, INC. and,
WWW.MYEX.COM

Defendants.

Case No. 1:14-cv-00127-MAC

NOTICE RE: MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT

Defendant Google Inc. respectfully submits this Notice regarding its Motion to Dismiss Plaintiff's First Amended Complaint. Plaintiff's Opposition to the motion was due on August 26, 2014, pursuant to the stipulated briefing schedule ordered by the Court on July 15, 2014. No Opposition has been received. Plaintiff also did not make any request for an extension of time to file an Opposition, notwithstanding the Court's prior direction in its Order dated June 24, 2014 that any future motions for extensions of time "should be filed prior to the expiration of the relevant deadline."

WHEREFORE, Defendant Google Inc. respectfully requests that the Court grant its Motion to Dismiss Plaintiff's First Amended Complaint.

Dated: September 5, 2014

Respectfully submitted,

/s/J. Thad Heartfield

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ATTORNEYS FOR DEFENDANT,
GOOGLE INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing is being served on all counsel of record who have consented to electronic service via the Court's CM/ECF electronic filing system on this, the 5th day of September, 2014. All other counsel of record will be served with a true and correct copy via first class mail.

/s/J. Thad Heartfield
J. Thad Heartfield